



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

NOV 17 2000

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Donald Schupak
1050 5th Avenue, Apt. 18B
New York, NY 10028

RE: MUR 5150

Dear Mr. Schupak:

On November 7, 2000, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(C) of the Federal Election Campaign Act of 1971, as amended. However, after considering the circumstances of this matter, the Commission also determined to take no further action and close the file as it pertains to you. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

This matter will become part of the public record within 30 days after it has been closed with respect to all other respondents involved. The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

The Commission reminds you that making a contribution to a state party committee in any calendar year which, in the aggregate, exceeds \$5,000 is a violation of 2 U.S.C. § 441a(a)(1)(C). You should take steps to ensure that this activity does not occur in the future.

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script that reads "Jamila I. Wyatt".

Jamila I. Wyatt
Attorney

Enclosure

Factual and Legal Analysis

21-04-403-2741

**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

RESPONDENT: Donald Schupak

I. GENERATION OF MATTER

This matter was generated by an audit of Missouri Democratic State Committee (the "Committee") and Donna Knight, as treasurer, undertaken in accordance with 2 U.S.C. § 438(b).

II. FACTUAL AND LEGAL ANALYSIS

No person shall make contributions to any other political committee in any calendar year which, in the aggregate, exceed \$5,000. 2 U.S.C. § 441a(a)(1)(C). The Commission found that Donald Schupak made a contribution of \$11,500 to the Committee, which exceeds the limitation by \$6,500. Therefore the Commission found reason to believe that Donald Schupak violated 2 U.S.C. § 441a(a)(1)(C).¹

¹ The Committee transferred \$6,500 to its non-federal account representing the excessive portion of Mr. Schupak's contribution.

21-04-103-2742